

NED A. FINE (State Bar No. 047786)  
JOHN P. BOGGS (State Bar No. 172578)  
FINE, BOGGS & PERKINS, LLP  
2450 S. Cabrillo Hwy. Ste. 100  
Half Moon Bay, CA 94019  
Telephone: (650) 712-8908  
Facsimile: (650) 712-1712  
*nfine@employerlawyers.com*  
*jboggs@employerlawyers.com*

Attorneys for Plaintiffs John Creighton,  
James Fitzpatrick and William Galvin and Proposed Class

MARK H. EPSTEIN (State Bar No. 121436)  
MALCOLM A. HEINICKE (State Bar No. 194174)  
REBECCA GOSE LYNCH (State Bar No. 230078)  
MUNGER, TOLLES & OLSON LLP  
560 Mission Street, 27th Floor  
San Francisco, CA 94105-2907  
Telephone: (415) 512-4000  
Facsimile: (415) 512-4077  
*malcolm.heinicke@mto.com*  
*rebecca.lynch@mto.com*

Attorneys for Defendant  
Unisource Worldwide, Inc.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO/OAKLAND DIVISION

JOHN CREIGHTON, JAMES  
FITZPATRICK AND WILLIAM GALVIN,  
on behalf of themselves and others similarly  
situated,

Plaintiffs,

vs.

UNISOURCE WORLDWIDE, INC., and  
DOES 1 through 50, inclusive,

Defendants.

CASE NO. CV 06-03860 TEH

**STIPULATED REQUEST FOR  
CONTINUANCE OF DEADLINE FOR  
SUPPLEMENTAL BRIEFING IN  
SUPPORT OF JOINT MOTION FOR  
PRELIMINARY APPROVAL OF CLASS  
SETTLEMENT; ~~PROPOSED ORDER~~**

**The Honorable Thelton E. Henderson**

1 On December 12, 2007, the Court ordered the parties to file supplemental briefing  
2 in support of their Joint Motion for Preliminary Approval of Class Action Settlement by Monday  
3 January 7, 2008. Pursuant to Local Rule 6-2, the parties in the above-captioned matter hereby  
4 jointly request a short extension of four (4) days for this filing, with the supplemental briefing due  
5 Friday January 11, 2008.

6 Mark Epstein, the available partner representing Defendant Unisource Worldwide,  
7 Inc., is now unexpectedly in the hospital with his mother as she receives emergency medical care.  
8 See Declaration of Rebecca Gose Lynch In Support Of Stipulated Request For Extension Of Due  
9 Date For Supplemental Briefing (hereinafter, "Lynch Decl."), ¶ 2. Malcolm Heinicke, the other  
10 partner representing Defendant, is unavailable in temporary restraining order proceedings in  
11 another case. Lynch Decl., ¶ 3. As such, it will be extremely difficult to finalize the briefs and  
12 obtain client approval in time for filing them this Monday. Lynch Decl., ¶ 2.

13 There have been two prior modifications of court-imposed deadlines in this matter,  
14 both of which were requested and granted in order to accommodate the parties' continued efforts  
15 to mediate the case with Mark Rudy, which efforts culminated in the proposed settlement  
16 currently pending before the Court. See Lynch Decl., ¶¶ 4-6 & Exh. A (January 17, 2007 Order),  
17 Exh. B (May 1, 2007 Order). The continuance of the supplemental briefing deadline that parties  
18 are now requesting would have no effect on the schedule for the case, as there is no hearing or  
19 other deadline currently scheduled. Lynch Decl., ¶ 7.

20 The parties thus respectfully request that the due date for the Supplemental  
21 Briefing In Support Of The Joint Motion For Preliminary Approval of Class Settlement be  
22 continued by four (4) days to Friday January 11, 2008.

23  
24 DATED: January 3, 2008

FINE, BOGGS & PERKINS

25 By: /s/ Ned A. Fine

26 NED A. FINE

27 Attorneys for Plaintiffs and Proposed Class  
28

1 DATED: January 3, 2008

MUNGER, TOLLES & OLSON LLP


2  
3 By: /s/ Rebecca Gose Lynch  
4 REBECCA GOSE LYNCH

5 Attorneys for Defendant  
6 UNISOURCE WORLDWIDE, INC.  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

~~ORDER CONTINUING DUE DATE FOR SUPPLEMENTAL BRIEFING:~~

The due date for the parties to file supplemental briefing in support of their Joint Motion For Preliminary Approval of Class Action Settlement is hereby continued to Friday, January 11, 2008.

Dated: 1/4/08

  
The Honorable Thelton E. Henderson